

**Before the
Federal Communications Commission
Washington, DC 20554**

In the Matter of)	
)	
NeuStar, Inc. Request to Allow Certain)	CC Docket No. 92-237
Transactions Without Prior Commission)	
Approval and to transfer Ownership)	
)	
)	
)	
)	

To: The Commission:

REPLY COMMENTS

**STATEMENT OF NO COMMENT
BY THE
NORTH AMERICAN PORTABILITY MANAGEMENT LLC**

Summary

Although NeuStar, Inc. ("NeuStar") acts as the local number portability administrator under seven separate agreements with the North American Portability Management LLC (the "NAPM LLC"), the NAPM LLC is providing no comments to NeuStar's April 14, 2004 letter requesting certain relief from the Commission (the "NeuStar Filing")¹ or to the Public Notice DA 04-1041 with respect to the NeuStar Filing (the "Public Notice") for the following reasons: (1) NeuStar apparently explicitly limits its request for Commission relief to its conduct as NANPA² and as PA,³ and the NAPM LLC has no direct responsibility or contractual arrangements with respect to NeuStar's conduct as NANPA or as PA; (2) NeuStar

¹ See Letter from Richard E. Wiley, Counsel for NeuStar, Inc., to Michael K. Power, Chairman, Federal Communications Commission, dated April 14, 2004.

² See NeuStar Filing at page 1, first sentence.

has represented to the NAPM LLC that the NeuStar Filing would not “impact” any commitments of NeuStar to the NAPM LLC or otherwise alter or affect any existing contract, including presumably the seven separate agreements with the NAPM LLC regarding NeuStar’s conduct as the local number portability administrator; and (3) NeuStar has represented to the Commission and to the NAPM LLC that the NeuStar Filing does not seek changes in the Commission’s neutrality rules or considerations. Based solely upon these reasons, including specifically the representations from NeuStar, the NAPM LLC has concluded that the contractual rights of the NAPM LLC and Users under the agreements with NeuStar as the local number portability administrator are unaffected by the NeuStar Filing and will be not be diminished or reduced as a result of the Commission’s response to the NeuStar Filing. Accordingly, the NAPM LLC has determined that any comments by the NAPM LLC were not relevant to the NeuStar Filing or to the comments sought by the Commission in the Public Notice. Notwithstanding the foregoing, because of the broad language of the invitation for comments set forth in the Public Notice,⁴ the NAPM LLC desired to make clear the reasons for its decision not to provide comments.

Identification of Party Filing Reply Comments

The NAPM LLC is a Delaware limited liability company that was formed, effective November 1, 1999, and is the successor to the seven separate regional limited liability

³ See NeuStar Filing at page 1, footnote 2.

⁴ The NAPM LLC points to two aspects of the Public Notice that could be interpreted as inviting comments with respect to NeuStar’s conduct as local number portability administrator. First, the Public Notice describes NeuStar as “the current North American Numbering Plan Administrator (NANPA), national Pooling Administrator (PA) *and Local Number Portability Administrator*,...[emphasis added].” Public Notice, DA 04-1041 (April 22, 2004), page 1. Second, the Commission seeks comments in the Public Notice as follows: “Particularly, we seek comment on the potential impact on NeuStar’s ability to perform its *numbering administration responsibilities* in a neutral manner. We also seek specific comment on the potential impact of an

companies that were formed and endorsed under the auspices of the Commission to oversee and to manage the implementation of local number portability in the seven separate United States regions (that is, the former RBOC regions). Each of the seven separate regional limited liability companies was also charged with overseeing the operation of the local number portability administrator in its respective region, subject to continuing oversight by the Commission and its delegated agents.

Those local number portability services are currently being provided by NeuStar, as the contractor, under seven separate agreements entitled Agreement for Number Portability Administration Center/Service Management System and referred to as the “Master Agreements.” As the successor to the seven separate regional limited liability companies, the NAPM LLC oversees and manages the operation of NeuStar as the local number portability administrator (referred to herein as the “LNP Administrator”) pursuant to these seven separate Master Agreements.

Distinction from NANPA and PA and Commission Relief Sought by NeuStar

NeuStar’s duties and obligations under the Master Agreements as LNP Administrator are separate and distinct from its duties and obligations as North American Numbering Plan Administrator (“NANPA”) and as Pooling Administrator (“PA”). In the NeuStar Filing, NeuStar apparently explicitly limits its request for Commission relief to its conduct as NANPA⁵ and as PA.⁶ The NAPM LLC has no responsibility or contractual arrangements with respect to NeuStar’s conduct as NANPA or as PA.

IPO on NeuStar’s ability to maintain its neutrality. [Emphasis added].” Public Notice, DA 04-1041 (April 22, 2004), page 2.

⁵ See NeuStar Filing at page 1, first sentence.

⁶ See NeuStar Filing at page 1, footnote 2.

The Master Agreements and NeuStar's conduct as LNP Administrator are subject to neutrality considerations and operational safeguards and limitations on the conduct of NeuStar as LNP Administrator. Some of these safeguards and limitations are identical to those imposed with respect to NeuStar's conduct as NANPA and PA, and some are different and unique. In the NeuStar Filing, NeuStar states that the Commission relief it seeks will not affect and does not weaken "other neutrality safeguards and oversight requirements imposed by the Commission." NeuStar Filing at page 8.

Further, NeuStar has explicitly represented to the NAPM LLC members (orally and in writing) that the NeuStar Filing is not intended in any way to "impact" the terms and conditions of the Master Agreements. This would include, but would not be limited to, those terms and provisions of the Master Agreements regarding NeuStar's continued qualification as a "Neutral Third Party" as defined in the Master Agreements and the conduct of a semi-annual Neutrality Review (separate and distinct from the quarterly neutrality audit conducted for the Commission pursuant to NeuStar's conduct as NANPA).⁷

No Effect on NAPM LLC Rights; Therefore No Comments

Based upon the foregoing reasons, the NAPM LLC does not believe that comments by it are sought or are relevant to the relief sought by NeuStar in the NeuStar Filing. Nonetheless, as a matter of the public record and based upon the foregoing, the NAPM LLC believes that none of its rights, powers and interests are affected or diminished in any way under the Master Agreements, nor are the rights, powers or interests of Users as provided for in the Master Agreements in any way affected or diminished by the relief that NeuStar requests

under the NeuStar Filing. The NAPM LLC has advised NeuStar of its understanding, and accordingly, the NAPM LLC offers no comments.

Respectfully submitted,

NORTH AMERICAN PORTABILITY
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⁷ The "Neutrality Review" was imposed as part of each of the seven separate Assignment Agreements (Contractor Services Agreements by and among NeuStar, Inc., Lockheed Martin IMS and each of the seven regional limited liability companies (now NAPM LLC, as the successor-in-interest), dated November 30, 1999.